

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

IN RE AIR CARGO SHIPPING SERVICES  
ANTITRUST LITIGATION

MDL No. 1775

06-MD-1775 (JG) (VVP)

**ORAL ARGUMENT WILL BE ON A  
DATE AND AT A TIME TO BE  
DESIGNATED BY THE COURT**

THIS DOCUMENT APPLIES TO:  
ALL ACTIONS

**NOTICE OF MOTION FOR SUMMARY JUDGMENT  
WITH RESPECT TO PLAINTIFFS' FUEL SURCHARGE CLAIMS BY  
DEFENDANT POLAR AIR CARGO, LLC**

PLEASE TAKE NOTICE THAT defendant Polar Air Cargo, LLC ("Polar"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, hereby moves for summary judgment on Plaintiffs' fuel surcharge claims against Polar in Plaintiff's First Consolidated Amended Complaint, and for such other and further relief as the Court deems just and proper. The grounds for the motion are set forth in more detail in the Polar's accompanying Memorandum of Law in Support of its Motion for Summary Judgment and the supporting declarations and exhibits.

Oral argument on the Polar's motion shall be on a date and at a time to be designated by the Court.

Date April 24, 2015

Respectfully submitted,

/s/ Harvey J. Wolkoff

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**CERTIFICATE OF SERVICE**

I, David A. Young, hereby certify that on April 24, 2015, a true and correct copy of the foregoing motion was served on the following via ECF:

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/s/ David A. Young  
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